

members along the length of the module, <sup>32, 6 &</sup> sheeting attached to the runners to form an enclosure which is defined exteriorly by the lattice framework, and <sup>12, 522</sup> horizontal corner members each extending across the framework along the length of the module and connected to the frame members at the corners thereof.

Cancel claim 13.

14. A building unit module as claimed in claim 12 wherein each frame member comprises four interconnected frame sections.

15. A building unit module as claimed in claim 12 wherein each frame member comprises four welded joists<sup>51</sup> of C-shaped cross-section.

Cancel claims 23 and 24.

25. A building unit module as claimed in claim 12 wherein the spacing between a plurality of said vertically oriented frame members is uniform.

#### REMARKS

Subsequent to submitting the amendment of Oct. 19, 2001, the undersigned had further discussion with his counterpart British counsel on this matter. During the discussion, it became apparent that the undersigned misinterpreted the words vertically oriented frame members to relate to individual vertical columns or posts 4 which run along one side of the module rather than a complete rectangular structure. Based on this misunderstanding, an amendment was made on Oct. 15 which was technically inaccurate.

Further, it appears that the rejection based on the patent to Perri also

assumes that the vertical frame member in the patent claims is a unitary vertical support column, but in reading the patent application again and discussing it with counterpart British counsel, I realized that the frame member refers to the rectangular member which comprises four sides (frame sections) forming a rectangular frame member, and the plurality of four sided rectangular frame member are then arrayed in parallel to begin the formation of the building unit module. The module is constructed with the at least three or more parallel vertically oriented four sided rectangular frame members being so positioned to which multiple parallel horizontal runners 6 are attached. The multiple parallel horizontal runners 6 are joined to the vertical sides of the rectangular frame members as shown in Fig. 1.

The Examiner referred to Perri as the principal reference and referred to vertical frame members 11 and 13. Those frame members 11 and 13 are vertical columns, and the response filed by the undersigned on Oct. 15, 2001 continued the belief that the vertical frame members of the pending claims were columns although this application has always depicted the frame members as rectangular frame members which is a rectangle formed by four sides.

It is possible that the "sections" were confused for the frame members. The claims as they existed prior to the response of October 15, 2001 have been reinstated as they properly define the invention which is not shown, suggested nor disclosed in the prior art as will be discussed hereinafter. Additionally, claim 25 which was added in the October 15 amendment has been maintained and has been

made dependent upon claim 12.

In the Office Action, the Examiner rejected claims 12 to 20 on the basis of US Patent 3638380 Perri in view of US Patent 5950374 Gromat and US Patent 2877875 Bolt.

Before discussing Perri, it is worthwhile to again comment on some of the important features of the Building Unit Module of the present invention. That module is constructed by forming at least three rectangular frame members and then vertically positioning those frame members so that they are aligned but spaced from one another. Horizontal runners are connected internally of the frame members so that the frame members and runners together form a lattice framework.

The fact that the building unit module has a lattice framework gives a significant advantage which is that with the lattice structure, loads are borne throughout the structure. This is in contrast to other structures where loads are transferred to a number of points within the structure which means that relatively more robust members have to be used at those points.

Following formation, the lattice framework is then reinforced at its corners by horizontal corner members connected internally and/or externally of the framework. Such reinforcement makes the module suitable for connection to other such modules to form a building.

Finally sheeting is attached to the runners to form an enclosure within the

lattice framework, which enclosure is defined exteriorly by the lattice framework.

The module so produced can be fitted out in the factory and also decorated. It can then be transported to site and connected with other such modules to make a building. The ability to build the modules and fit them out off site significantly reduces the on-site construction time which is highly advantageous.

Turning now to Perri, like Hilpert which was previously relied on, this is directed to forming a complete building and fails to disclose a lattice framework.

Specifically Perri discloses a structure for high-rise buildings. A feature of the structure is that all of the principal vertical support columns such as 11 and 13 are located about the exterior of the structure. Horizontal support beams extending transversely in the structure are supported at their ends by longitudinal beams engaging the vertical support columns.

The vertical support columns are referenced 11 and 13. As noted above these columns are the principal columns and so the load will be concentrated in them. As a result these columns have to be made from large scale members which are connected together on site.

Perri does disclose units which are prefabricated apartment modules 24-27. More importantly whatever modules exist in Perri are not connected together to form the building. Instead the modules sit within the structure produced by the vertical support columns 11-14 together with the transverse beams and longitudinal support beams.

Perri fails to disclose a building unit module comprising a lattice framework.

Perri also fails to disclose a structure with at least three parallel vertically orientated rectangular frame members. The Examiner identified the parts with reference numerals 11 and 13 as being parallel frame members. However, as noted above the parts with these reference numerals are simply support columns and not rectangular four sided frame members.

The present invention provides significant benefits. One benefit has already been discussed above and is that, by use of a lattice framework, loads are borne throughout the structure which allows use of relatively less robust, and therefore lighter, members. The second benefit is that the module can be easily assembled by holding the rectangular frame members in a jig in a vertical orientation spaced apart after which the horizontal runners are secured to the inside of the frame members. The module can be easily constructed in a factory and fitted out there. It can then be easily transported to a construction site, in part because of the light weight.

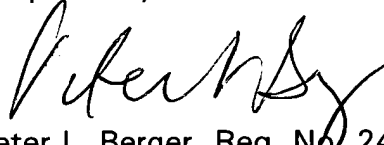
Assembling a building with a plurality of modules is a quick task because the modules can already be fitted out which minimizes the on-site construction time.

That portion of the prior amendment relating to the discussion of the term sheeting is believed accurate and is repeated hereinafter.

The undersigned wishes to express his appreciation to the Examiner in being

willing to consider this supplemental submission when it became apparent to the undersigned that there was a misunderstanding concerning the nature of the invention and the claim language previously submitted. The undersigned further appreciates the Examiner receiving this by telefax prior to responding to the amendment submitted on Oct. 15, 2001.

Respectfully submitted,



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AMENDED CLAIMS MARKED UP TO SHOW ALL THE CHANGES

12. A building unit module [having sides and corners,] comprising a lattice framework formed of at least three parallel vertically oriented rectangular frame members spaced along the length of the module, [said at least three vertically oriented frame members located along one side of said module at the corners thereof and at a location intermediate the corners,] multiple parallel horizontal runners connected to the frame members internally thereof, the runners each extending transversely to the rectangular frame members along the length of the module, sheeting attached to the runners to form an enclosure which is defined exteriorly by the lattice framework, and horizontal corner members each extending across the framework along the length of the module and connected to the frame members at the corners thereof.

14. A building unit module as claimed in claim 12 [13] wherein each frame member comprises four interconnected frame sections.

15. A building unit module as claimed in claim 12 [13] wherein each frame member comprises four welded joists of C-shaped cross-section.

25. A building unit module as claimed in claim 12 [23] wherein the spacing between a plurality of said vertically oriented frame members is uniform.